

**U.S. Department of the Interior
Bureau of Land Management**

**Draft Finding of No Significant
Impact**

DOI-BLM-WY-R020-2015-0023-EA

**McCullough Peaks Special Recreation
Permit Programmatic Environmental
Assessment**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Cody Field Office, WY



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McCullough Peaks Special Recreation Permit Programmatic Environmental Assessment

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1. Draft Finding of No Significant Impact

1.1. McCullough Peaks Special Recreation Permit Programmatic Environmental Assessment

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I have reviewed the Final Programmatic Environmental Assessment (EA) DOI-BLM-WY-R020-2015-0023-EA, dated June 2016. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have determined the proposed action is in conformance with the Cody Field Office Approved Resource Management Plan (September 2015), and is consistent with applicable plans and policies of county, state, tribal and Federal agencies. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

1.2. Context:

The Proposed Action would authorize commercial wild horse/ wildlife viewing and photography in the McCullough Peaks area. Authorized activities would be limited to the identified BLM service roads. The analyses conducted in the EA revealed impacts on resources similar to, and within the scope of, those described and considered within the *Cody Field Office Approved Resource Management Plan*, approved as a component of the Record of Decision (ROD) for the Rocky Mountain Region (September 2015).

1.3. Intensity:

1. Impacts that may be both beneficial and adverse.
Impacts from the proposed action will be sporadic and long-term. The analysis revealed minor benefits to cultural resources and Greater sage grouse, a Special Status Species, and minor to no impacts to wild horses, paleontological resources, existing rights-of-way, recreational activities, and the McCullough Peaks Wilderness Study Area.
2. The degree to which the proposed action affects public health or safety.
The analysis revealed that safety around wild horses is an ongoing concern. Steps have been taken to inform and educate the public on correct interactions with wild horses and the distance to maintain in order to ensure human safety.
3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
The analysis revealed no impacts to any of the above references areas.

4. The degree to which the effects on the quality of the human environment are likely to be controversial.
The permitting of commercial wild horse/ wildlife viewing and photography are long-term activities in the Cody Field Office. Unlike many activities involving wild horses, permitting commercial tours for viewing and photography has been historically benign.
5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
The permitting of commercial wild horse/ wildlife viewing and photography has been a long-running program; the analysis revealed no unique or uncertain risks related to the activity.
6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
The permitting of commercial wild horse/ wildlife viewing and photography has been a long-running program and as such, does not establish a precedent for future actions with significant effects. As new or unforeseen issues arise, they will be examined under future NEPA as required.
7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.
The proposed action and alternatives were considered within the context of past, present, and reasonably foreseeable future actions. The analysis revealed no cumulative impacts beyond those described and considered within the *Cody Field Office Approved Resource Management Plan*, approved as a component of the Record of Decision (ROD) for the Rocky Mountain Region (September 2015).
8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.
The impact analysis for cultural resources revealed that the proposed action would provide minor beneficial effects by limiting commercial traffic to BLM service roads rather than two-track roads.
9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.
The analysis revealed no impacts to threatened or endangered species or their habitat.
10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.
None of the alternatives analyzed, including the Proposed Action, would violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.

1.4. Signed:

Delissa Minnick		[Date]
Field Manager		